

CITY OF MANCHESTER

PLANNING AND ZONING COMMISSION MEETING MINUTES MARCH 10, 2014

COMMISSIONERS

Jason Truesdell, Chairman (2018)
James Labit, Secretary (2016)
Joni Korte (2016)
Tom Brown (2017)
Jack Fluchel (2018)
Mark Smith (2018)

CITY OFFICIALS AND STAFF

Dave Willson, Mayor
Mike Clement, Alderman, Ex-Officio member
Franz Kraintz, Planning and Zoning Director
Melissa Barklage, Recording Secretary

CASES

NUMBER

CASE #13-TXT-003 - Proposed text amendment for Non-Residential Signs in Residential Districts

CASE #14-SP-001 - A request is made by Mr. Ken DeBrecht of DeBrecht homes for site plan approval of a new single-family dwelling to be constructed at 712 Joyce Ann Drive.

CASE #14-TXT-001 – A text amendment is proposed to change the number of used apparel and accessory stores allowed city-wide.

CASE #14-SUP-001 - A request is made by Mr. Scott Dyer of North Star Consulting d/b/a Plato's Closet for a Special Use Permit to operate a used apparel and accessory store at 14206 Manchester Road.

REPRESENTATIVES OF CASES

- **Franz Kraintz**
Planning and Zoning Director
- **Ken DeBrecht**
DeBrecht Homes
701 Laurel Oak
St. Louis MO 63131
Representing Mr. Fakhani
314-504-4250
- **Franz Kraintz**
Planning and Zoning Director
- **Scott Dyer/ Krisan Lewis**
15425 Manchester Rd
Ballwin, MO 63011
314-341-2001
Plato's Closet

1. CALL TO ORDER

Commissioner Truesdell called the Planning and Zoning meeting of March 10, 2014 to order at 7:01 p.m.

2. ROLL CALL

Commissioner Truesdell asked the Recording Secretary to take roll.

Commissioner/Secretary James Labit	Present	Chairman Jason Truesdell	Present
Commissioner Jack Fluchel	Excused	Commissioner Mark Smith	Excused
Commissioner Joni Korte	Present	Alderman Mike Clement	Present
Commissioner Tom Brown	Present	Director Franz Kraintz	Present
Mayor David Willson	Present	Melissa Barklage, Recording Secy	Present

3. **APPROVAL OF MINUTES**

Commissioner Brown made the motion to approve the minutes of November 11, 2013. Motion seconded by Commissioner Labit motion and motion was approved by voice vote. The vote taken was recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Excused</u>
5	0	0	2

4. **APPROVAL OF AGENDA**

Chairman Truesdell asked if there were any changes to the agenda. Commissioner Labit made the motion to move the Old Business until after the New Business portion of the meeting to allow participants not to have to sit through those discussions. Commissioner Brown seconded the motion and motion was approved by voice vote. The vote taken was recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Excused</u>
5	0	0	2

Commissioner Labit moved to approve the agenda as amended. Commissioner Brown seconded; motion approved by voice vote. The vote taken was recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Excused</u>
5	0	0	2

5. **NEW BUSINESS**

- A. **CASE #14-SP-001** – A request is made by Mr. Ken DeBrecht of DeBrecht homes for site plan approval of a new single-family dwelling to be constructed at 712 Joyce Ann Drive. The property is zoned R-1 Single Family Residential.

Speaking for the case is Ken DeBrecht who currently lives at 701 Laurel Oak in Frontenac. He represents Mr. and Mrs. Fakhani who contracted DeBrecht to build them a home at 712 Joyce Ann. 712 Joyce Ann is currently a vacant lot. They purchased the lot after demolition of the original home by the prior owner.

The proposed structure is a 2 story home with 4,150 square feet. It will also have a 3 car front entry garage with a paved concrete driveway coming from the street. It will be within the set back of 60 feet. It will line up almost identically with the set back on the house to the west side which would be the closest residence. The 1st floor is approximately 2,300 sq ft. The 2nd floor is 1,800 sq ft. The home will have a brick and vinyl siding front and vinyl siding around the rear. It will also have a deck. Current lay of land will stay intact so it will allow for a walkout at the lowest corner of the dwelling. The grade elevations will not change. The lowest floor elevation will be 2 feet above the curb.

Director Kraintz then presented the staff report stating he takes no issue with facts presented with the case for the site plan approval. The site plan does comport with all zoning requirements and setbacks. Director Kraintz asked Mr. DeBrecht if the grades around the dwelling foundation would be raised. Mr. DeBrecht clarified that the top of finished floor will be approximately 2 feet above but will maintain a level driveway. Mr. DeBrecht believes they will have a balanced fill condition. There are some areas that have to be leveled off a bit but they can utilize the soil that is there. What they excavate for the basement will be used to level off the lot.

Director Kraintz brought up about drainage channel on the east side of the property going to the south that was initiated by the previous owner. Director Kraintz cautioned Mr. DeBrecht on how much is filled in because some of it could have been done with the intent to try to make sure the run-off on the

lot goes to the appropriate drainage inlet. Mr. DeBrecht explained he will be using a pop-up emitter on the underground drains to help disperse the water from the gutters in the event of a large storm. They plan to bury all the downspouts in both front and back. Director Kraintz's review found there is increased lot coverage but does not trigger the mandated storm water quality requirements of the City. Staff has no issue with the proposed amount of impervious surface, which accounts for about 16% of the lot.

Commissioner Labit commented that he felt it appears to be a beautiful house. The look of the home fits in well with the other homes on the street. Commissioner Labit inquired about the walkout door in the back under the outcrop then next to that windows and basement. Commissioner Labit asked Mr. DeBrecht if there was a conflict with the plans. Mr. DeBrecht pointed to page 4 of 8 in the lanes that referenced the left side elevation. The patio will be on the basement walkout portion with the deck above that. The patio will be over next to the walkout door in the basement.

Commissioner Korte asked about the versa-lock retaining wall. Commissioner Korte asked if they planned for this to be under a separate permit. Mr. DeBrecht stated that the Fakhani's were still not sure they want a wall there. They may choose to just have the ground and their preference is to not have the retaining wall. Retaining wall is not going to be necessary. Once they backfill and see what the actual grades are they will decide if they really want the retaining wall.

Commissioner Brown asked Director Kraintz if this was the house that the previous owner was going to build a house lengthwise. Commissioner Brown recalled the previous owner found plastic soil which meant they had to bring in a lot of gravel that they couldn't afford. Commissioner Brown then asked Mr. DeBrecht if he had the soil tested already. Mr. DeBrecht has not had the soil tested at this time. He did meet with the neighbor to the east and homeowner down the street who did not have issues with plastic soil. He states that when he is ready to do the soil testing he will use Brucker Engineering. Mr. Fakhani has been made of aware of what can happen in the case that plastic soil is found. The soil sample will be taken when they dig the foundation. Commissioner Brown also asked about the single bearing plate if that was something new they were putting in homes. Mr. DeBrecht explained that these strong wall panels have been added to homes according to the IRC 2009 code.

Mayor Willson had no questions.

Alderman Clement asked Mr. DeBrecht when they would you like to start this project and how long it will take to complete. Mr. DeBrecht said takes about 5 months and they are looking to start March as soon as possible after the site plan is approved. They are anxious to get started because they are living with parents in Manchester now along with their 3 children.

Chairman Truesdell had no further questions.

Motion made by Commissioner Labit to approve the site plan with the approved site plan security deposit of \$2,500 on **CASE #14-SP-001** and Chairman Truesdell seconded the motion; it was passed by voice vote.

The vote taken was recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Excused</u>
5	0	0	2

- B. **CASE #14-TXT-001** – A text amendment is proposed to change the number of used apparel and accessory stores allowed city-wide. The proposed text amendment applies to the C-1, C-2, and PCD Zoning Districts.

Director Kraintz explained that in review of the request from Plato's Closet for Special Use Permit it was brought to the City's attention that there is the possibility that 7 of these types of stores could be allowed in Manchester. Currently, three of these stores would be allowed in C-1, two in C-2, and 2 in the PCD. In review of the number allowed, the Board of Alderman introduced a moratorium to halt any further used apparel and accessory use applications until they could decide on the appropriate

number of used apparel stores that they would allow. Staff has prepared a draft ordinance with the proposed number limited to 3 of these types of stores, citywide. The Commission is asked to make a recommendation to the Board of Alderman on this proposed text amendment before considering the next case on the agenda for Special Use Permit.

Chairman Truesdell asked if Special Use Permits were required on this type of business in all the zone districts. Director Kraintz clarified that the only commercial district in the city that does not call for this type of business is the PBD.

Commissioner Labit made the motion to make a favorable recommendation to the Board of Alderman on **CASE #14-TXT-001**. Mayor Willson seconded the motion; it was passed by voice vote.

The vote taken was recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Excused</u>
5	0	0	2

- C. **CASE #14-SUP-001** – A request is made by Mr. Scott Dyer of North Star Consulting d/b/a Plato’s Closet for a Special Use Permit to operate a used apparel and accessory store at 14206 Manchester Road. The property is zoned C-1 Commercial.

Scott Dyer spoke for the Plato Closet stores using a PowerPoint presentation. Scott Dyer himself has been around Manchester for several years. Plato’s Closet is a franchise concept. The franchisor is a publicly traded company. Other retail concepts besides Plato’s Closet include Play It Again Sports and Once Upon a Child. There are over 435 stores open nationally. There were 35 new stores opened last year. Average store sales exceed \$1 million. The entire operation is has been in existence for 20 years since the opening of their first Once Upon a Child store. Both the St. Peters and Ballwin stores have expanded twice and both have entered their next 5 year leases. Mr. Dyer would like to relocate the Plato’s Closet store from its Chesterfield location to this more desirable Manchester location. Plato’s Closet’s target demographic is primarily women or girls aged 14 to 25 but they do sell men’s clothing as well.

Ms. Krisan Lewis then presented how the Plato’s Closet stores strive to keep a “hip” and current store look. They have daily and weekly store cleaning projects. Ms. Lewis explained that the store racks are organized and well maintained for customers to be able to find what they are looking for quickly. The staff is incentivized to keep a clean and orderly store. All store buyers are trained and “buy certified” to know what is current and profitable for the store. Purchased merchandise must be in excellent condition.

Mr. Dyer spoke again for Plato’s Closet, explaining that differentiator in their store is that they pay cash for their merchandise which is unlike consignment or thrift stores. Because they pay cash for their merchandise they must ensure that the items are in excellent condition and are able to be resold. Also because they pay cash for the items that patrons bring in, the money then is put back in the hands of those in the Manchester community. Unlike thrift stores, Plato’s Closet does generate sales tax. The franchise order requires each store to meet brand standards checklist. Plato’s Closet does participate in several charities and community events throughout the year.

Director Kraintz then reported that Plato’s Closet would be moving into the C-1 commercial which allows used apparel and accessories stores by Special Use Permit only. The Commission can recommend any conditions to the Special Use Permit that they think is needed to the Board of Alderman. Director Kraintz stated the hours of operations for the proposed store will be 10 am – 9 pm Monday to Saturday and 11 am to 6 pm on Sunday. The space is 6,000 ft² and thus requires 30 parking spaces. The proposed tenants meet all zoning requirements.

Commissioner Brown inquired about whether they wash the clothes before they are put out on the sales floor. Mr. Dyer explained that any merchandise they buy must be new or freshly laundered, ready to hit the sales floor. Commissioner Brown asked what they do to prevent theft or resale of stolen

clothing. Mr. Dyer stated they do prosecute for theft. They have personnel in the store that are trained to spot stolen items. If they notice red flags with a seller they will put them on a no-buy list. They require ID to sell to Plato's Closet.

Mayor Willson spoke about his understanding of loss prevention. Mrs. Willson used to work in loss prevention and they saw a lot of employee theft there. Mayor Willson complimented Plato's Closet on how they handle suspected theft cases. He mentioned that 50,000 cars a day pass the 141 / Manchester intersection. There are 8 schools within the City of Manchester. There is a captive audience for this business and will be an asset to Manchester.

Alderman Clement asked about how they take in enough merchandise to fill the store. Mr. Dyer stated that in their marketing, they stress that they are the buyers of people's apparel. Anyone can walk into the store with their merchandise and have it reviewed for sale. Alderman Clement asked if they ever have to purchase merchandise elsewhere in order to fill a store. Mr. Dyer stated that, at one time, this had been the case but they usually have a good response from the community in that people want to get something for their designer clothes and since they are still in good condition, they prefer to resell them rather than give it away to charity.

Commissioner Labit had no further questions. He felt it would be fine addition to Manchester.

Commissioner Korte had no further questions. She said also felt it would be a fine addition to Manchester.

Chairman Truesdell asked whether they would be signing a 5 year lease. Mr. Dyer stated they are looking at a 5 year lease with 5 year option. They would like to start construction April 21st and will have to do demo first and build out. Chairman Truesdell asked if they would be bringing in new employees to the new store. Mr. Dyer answered by saying they will be asking some to relocate from Chesterfield store and hiring some new as they anticipate to have a higher volume in this store. Mr. Dyer explained most stock stays there and is self sustaining. Chairman Truesdell asked what they do with merchandise that does not sell. Mr. Dyer stated that they will have grab bag sale and whatever doesn't sell they donate. Chairman Truesdell commented that he felt this is good change of business in Manchester that will be an asset to the city and is definitely in favor of it.

Chairman Truesdell made the motion to make a favorable recommendation to the Board of Alderman on **#14-SUP-001** to grant North Star Consulting d/b/a Plato's Closet, a Special Use Permit to operate a used apparel and accessory store at 14206 Manchester Road. Commissioner Brown seconded the motion; it was passed by voice vote.

The vote taken was recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Excused</u>
5	0	0	2

6. OLD BUSINESS

A. **CASE #13-TXT-003** – Proposed text amendment for Non-Residential Signs in Residential Districts

Director Kraintz updated the text amendment with changes from last meeting. He said this text amendment has been in the works for some time now and the only thing the Commission wanted changed was allowing up to six (6) directional signs for residential Open Houses. Director Kraintz said he made that change and it is incorporated in the draft they see tonight.

Motion made by Chairman Truesdell to make a favorable recommendation to the Board of Alderman on **CASE #13-TXT-003**. Commissioner Labit seconded the motion; motion approved by voice vote. The vote taken was recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Excused</u>
5	0	0	2

7. PLANNING AND ZONING DIRECTOR'S REPORT

Director Kraintz informed the Commission that at the last board meeting a presentation was given requesting consideration of allowing dog kennels in the City of Manchester. Currently the code does not allow the use in any of the City's zoning districts. Director Kraintz was given some direction to mention the matter to the Commission. Even though the proponents are not allowed to speak at this meeting because the case is not on the agenda, he did want to bring the matter to the attention of the Commission and see if they would like to look into the matter.

Chairman Truesdell asked if it would fall under a Special Use Permit. Director Kraintz stated that right now it is specifically prohibited in three (3) of the commercial zoning districts and the not even mentioned, which means it is thereby prohibited in the PBD.

Chairman Truesdell commented that he felt as long as there is proper noise abatement and assurance the animals are being properly cared for, it is something that should be considered by the City.

Commissioner Labit stated he felt that at one point the Board restricted this use in these zone districts and must have a reason for doing so. Commissioner Labit suggested we try to investigate as to what was the purpose of prohibiting kennels from the commercial zoning districts in the first place.

Alderman Clement asked whether we should include it as a formal topic of discussion at the next P&Z Meeting. Director Kraintz agreed that he could have it added to the next agenda. Chairman Truesdell added that we should include what type of action Planning and Zoning could take on the item after the discussion in the next meeting. Director Kraintz agreed to work something up for the next meeting.

8. EX-OFFICIO'S REPORT

Alderman Clement commented that Board of Alderman meetings have been brief and efficient. Filings for Alderman and Mayor have closed and the current candidates are running unopposed.

Chairman Truesdell asked if we have had any living signs in Manchester. Director Kraintz stated that we have enforced our prohibition of living signs in the City. If there have been any in the area they are happening outside the City.

Chairman Truesdell asked about the Wine Cellar that was on the previous Commission meeting agenda. Director Kraintz stated that they still plan on moving into the City but have run into some unexpected delays.

9. COMMENTS FROM THE PLANNING AND ZONING COMMISSION

No additional Comments

10. ADJOURNMENT

Commissioner Labit made the motion to adjourn the Planning and Zoning Commission meeting of March 10, 2014, at 8:13 p.m. Motion seconded by Chairman Truesdell. Motion approved by voice vote. The vote taken was recorded as follows:

<u>Ayes</u>	<u>Nays</u>	<u>Abstentions</u>	<u>Excused</u>
5	0	0	2

Respectfully submitted by:
Melissa Barklage, Recording Secretary

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